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Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

April 29, 2019

Elizabeth Hagenmaier
U.S. Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, KS 66219

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SUPERFUND DIVISION

SUBJECT: KDHE comments on the *Preliminary Design Report and Supporting Documents, Cherokee County Superfund Site, Operable Unit 8, Cherokee County, Kansas*

Dear Ms. Hagenmaier:

The Kansas Department of Health and Environment (KDHE) reviewed the referenced subject document. KDHE submits the following comments.

General

Overall, significant changes occurred in the contaminated railroad bed volume needing cleanup and the total cleanup capital cost between the current remedial design and original estimates. EPA completed a 2017 aerial survey to improve contaminated railroad bed material estimate accuracy. Contaminated material volume increased 2.5 times the original estimate to 808,678 cubic yards. Correspondingly, the total cleanup capital cost estimate increased twice the original estimate to \$28,862,424, and the per unit cost decreased 27% to \$35.69 per cubic yard. This total does not include overages or contingency and only includes the railroad bed segments where EPA obtained access.

1. EPA obtained access for 52% of the total estimated miles of contaminated railroad beds needing cleanup. Does EPA expect the current capital cost estimate to double presuming 100% railroad bed access? Access affects the total cleanup capital cost estimate and could significantly affect the estimate used in the impending Superfund state contract depending on completion date.

Remedial Design Specifications

2. Page 01460-2, d. Notification Procedures: KDHE's address is 1000 SW Jackson St, Topeka, KS 66612. The state's emergency management agency is the Kansas Division of Emergency Management. In December 2014 the State of Kansas implemented a combined 24-hour notification system for spills, hazards, and train derailments. The 24-Hour Kansas Spill and All Hazard Notification System number is (785) 291-3333.
3. Page 01460-3, 3.1.1.1: The contractor should notify the 24-Hour Kansas Spill and All Hazard Notification System for state spill reporting.

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Superfund 4/25/19

4. Page 02921-4, TABLE 02921-1: KDHE expected EPA would use the native seed mix developed for the Treece Phase IIIA RDRA. That mix includes forbs to improve plant growth and density on seeded areas. As KDHE pointed out in P3A comments including legumes improves available plant nitrogen. Many readily-available seed mixes include beneficial pollinator species. Please refer to the comments and attachments KDHE supported in its Treece P3A RDRA comments.
5. Page 02921-7, 2.5.2 Hay: As in its previously-referenced comments KDHE suggests removing broomsedge hay and sudangrass hay from the acceptable mulch list to prevent unintentionally introducing these species to the area vegetative community. Non-native broomsedge bluestem (*Andropogon virginicus*) tends to become invasive, has little wildlife value, and has low nutritive grazing value. Uncultivated, non-hybrid sudangrass, *Sorghum bicolor* (L.) Moench, is a noxious or secondary noxious weed in other states. Using noxious weed-free native prairie hay as mulch can create an extra seed source for beneficial native prairie species generating a varied plant community and improving vegetation density and growth.
6. Page 02921-13, 3.11 Final Inspection and Acceptance: Does EPA intend to use a satisfactory plant cover definition of no bare gaps greater than 9 square inches for final acceptance? Does this differ from recently-used standards in the Baxter Springs and Treece Subsites?

Thank you for presenting KDHE the opportunity to review and comment. If you have any questions, please contact me at chris.hase@ks.gov or (785) 296-2866.

Sincerely,



Chris Hase
Project Manager

cc: File: C3-011-73152 (1)
Digital: Todd Campbell, EPA